

FOLKWAYS

as church marriage was introduced, the promise set the idea of marriage. If either broke the promise, he or she was liable to church censure and penance. In England the first civil law against bigamy was I James I, chapter n. Never until 1563 (Council of Trent) was any ecclesiastical act necessary to the validity of a marriage even in the forum of the church. Marriage was in the mores. The blessing of the church was edifying and contributory. It was not essential. Marriage was popular and belonged to the family. In the ancient nations sacrifices were made for good fortune in wedlock. In the Middle Ages Christian priests blessed marriages which had been concluded by laymen and had already been consummated. The relation of husband and wife varied, at that time, in the villages of Germany or northern France of the same nationality. Until modern times concubinage has existed as a recognized institution. It was an inferior form of marriage, in which the woman did not take the rank of her husband, and her children did not inherit his rank or property, but her status was permanent and defined. Sometimes it was exclusive. Then again slaves have been at the mercy of a master and in ancient times they were always proud to "find favor in his eyes." Thus wives, concubines, and slave women form three recognized ranks of female companions.

435. The church elevated the notion of marriage. In all the ancient civilized states marriage was an affair of property interests and rank. The public ceremony was needed in order to establish rights of property and inheritance, legitimacy, and civil rights. The Christian church of the Middle Ages had to find a ground for its own intervention. This it did by emphasizing

ing the mystic element in marriage, and developing
all the sym-
bolism of the Bible which could be applied to this
subject and
all the biographical details which touched upon it,
— Adam and
Eve, Tobias, Joseph and Mary, the one-flesh idea,
the symbolism
of Christ and the church, etc. Thus a sentimental-
poetical, mys-
tical conception of marriage was superimposed on
the material-
istic-sensual conception of it. The church affirmed
that marriage
was a " sacrament." A half-dozen different
explanations of " sac-
rament " in this connection could be quoted. It is
impossible